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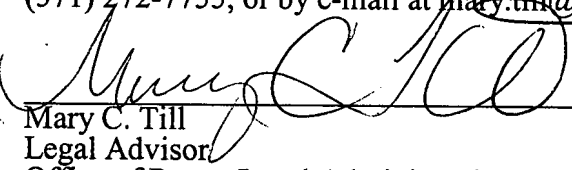
Robert T. Hrubiec, Ph.D, J.D.
Cephalon, Inc.
41 Moores Road
P.O. Box 4011
Frazer, PA 19300

In Re: Patent Term Extension
Application for
U.S. Patent No. 4,927,855

Dear Mr. Hrubiec :

An order granting interim extension under 35 U.S.C. § 156(e)(2) is enclosed extending the term of U.S. Patent No. 4,927,855 for a period of 1 year. While a courtesy copy of this letter is being forwarded to the Food and Drug Administration (FDA), you should directly correspond with the FDA regarding any required changes to the patent expiration dates set forth in the Patent and Exclusivity Data Appendix of the Orange Book (Approved Drug Products with Therapeutic Equivalence Evaluations) or in the Patent Information set forth in the Green Book (FDA Approved Animal Drug Products). Effective August 18, 2003, patent submissions for publication in the Orange Book and Docket *95S-0117 need to be submitted on form FDA-3542 which may be downloaded from FDA's Electronic Forms Download Website:
<http://www.fda.gov/opacom/morechoices/fdaforms/default.html>
(<http://www.fda.gov/opacom/morechoices/fdaforms/FDA-3542.pdf>).

Inquiries regarding this communication should be directed to the undersigned by telephone at (571) 272-7755, or by e-mail at mary.till@uspto.gov.


Mary C. Till
Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy

cc: Office of Regulatory Policy
HFD-7
5600 Fishers Lane (Rockwall II Rm 1101)
Rockville, MD 20857

RE: NUVIGIL™ (armodafinil)
FDA Docket No.:

Attention: Beverly Friedman

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Cephalon Inc. :
Request for Interim Patent Term Extension : **ORDER GRANTING**
U.S. Patent No. 4,927,855 : **INTERIM EXTENSION**

Cephalon, Inc., an agent of Laboratoire L. Lafon, the owner of record in the United States Patent and Trademark Office of U.S. Patent No. 4,927,855, filed an application under 35 U.S.C. § 156 for extension of U.S. Patent No. 4,927,855 on July 26, 2007. The extended term of the patent is due to terminate on August 13, 2007, in accordance with 37 C.F.R. § 1.791. The patent claims the active ingredient armodafinil in the human drug product NUVIGIL™ and a method of use of said product which was approved by the Food and Drug Administration for commercial marketing or use on June 15, 2007. An extension of 700 days is requested.

The initial USPTO review of the application indicates that the subject patent is eligible for an extension of the patent term under 35 U.S.C. § 156. Because the extended term of the patent will terminate on August 13, 2007, as per 37 C.F.R. § 1.791, before a certificate of extension can be issued, interim extension of the patent term under 35 U.S.C. § 156(e)(2) is appropriate.

An interim extension under 35 U.S.C. § 156(e)(2) of the term of U.S. Patent No. 4,927,855, is granted for a period of one year from the original expiration date of the patent, i.e., until August 13, 2008.

13 Aug 2007
Date

M. J. A. Peterlin
Margaret J. A. Peterlin
Acting Under Secretary of Commerce for Intellectual Property
and Acting Director of the United States Patent and Trademark
Office